REMARKS

The Applicant does not believe that examination of response contained herein will result in the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that this response entered in and that the claims to the present application, kindly, be reconsidered.

The Final Office Action dated June 22, 2005 has been received and considered by the Applicants. Claims 1-20 are pending in the present application for invention. Claims 1-20 are rejected by the June 22, 2005 Final Office Action.

The Final Office Action rejects Claims 1, 3, 5-6, 12, 14 and 16-17 under the provisions of 35 U.S.C. §103(a) as being unpatentable U.S. Patent No. 6,448,987 issued to Easty et al. (hereinafter referred to as Easty et al.), taken with U.S. Patent No. 5,940,076 issued to Sommers et al. (hereinafter referred to as Sommers et al.), in view of U.S. Patent No. 5,986,638 issued to Cheng (hereinafter referred to as Cheng).

The rejection asserts that Easty et al. teach a graphic user interface for a digital content delivery system using circular menus wherein movement around the loop configuration of the control device causes a corresponding relative angular movement that is substantially equal between the selector and the loop of the menu. The Applicant, respectfully, points out that Easty et al. provide an outer ring and an inner ring, with the categories selected using the outer ring and the sub-categories selected by the inner ring. Easty et al. teach to select an icon on the outer ring representing a category. The outer ring is then rotated so that the selected icon is at the top of the ring and the inner ring displays the subcategories to the category that is selected by the outer ring (see col. 5, lines 45-55). There is no movement around the loop configuration of the control device disclosed or suggested by Easty et al. Moreover, there is no corresponding relative angular movement between the selector and the loop of the menu that is disclosed, or suggested by Easty et al. There is no movement around the loop configuration of the control device that causes a corresponding relative angular movement that is substantially equal between the selector and the loop of the menu that is disclosed, or suggested by Easty et al.

The rejection contends that while Easty et al. do not teach a control device having a loop configuration to generate a control signal that move the loop of the control device and the

selector relative to each other, but that Sommers et al. do teach this subject matter. The Applicant, respectfully, points out that Sommers et al. teach a control 302 that moves up or down (see col. 4, lines 36-44). To spin the wheel in Sommers et al., control device 302 is activated (see col. 5, lines 61-63). Rejected Claims 1 and 12 define subject matter for movement around the loop configuration of the control device that causes a corresponding relative angular movement that is substantially equal between the selector and the loop of the menu. The rejection asserts that Sommers et al. teach a relative angular movement between the selector and the loop of the menu. Sommers et al. teach that the control 302 can cause the loop to move in response to inputs that do not constitute a loop configuration of the control device. The Applicant, respectfully, points out that Sommers et al. do not teach movement around the loop configuration of the control device. Sommers et al. teach that up or down inputs to the control device 302 cause a movement in the wheel of Sommers et al. The Applicant, respectfully, submits that there can be no corresponding relative angular movement between the control device and the loop of the menu that is substantially equal because there is no angular movement disclosed, or suggested, within the control device of Sommers et al. Accordingly, all of the elements defined by rejected claims that are not found in the combination of Easty et al. with Sommers et al., either alone or in combination.

The rejection admits that the combination of Easty et al. with Sommers et al. do not teach the user input device having a loop configuration. The rejection contends that Cheng teaches a menu arranged as a carousel. The Applicant, respectfully, points out that Cheng teaches using a flywheel that controls movement of the cursor along the circular path in which the menu icons are arranged. The cursor moves in accordance with the movement of the flywheel (see col. 2, lines 48-61). Note that there is no disclosure or suggestion within Cheng for a corresponding relative angular movement between the control device and the loop of the menu that is substantially equal because there is no movement in the circular path in which the menu icons are arranged as taught by Cheng. Therefore, this rejection is, respectfully, traversed.

The Final Office Action rejects Claims 2, 7-8, 13 and 18 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Easty et al. taken with Sommers et al. in view of Cheng and further in view of U.S. Patent No. 5,667,319 issued in the name of Satoff (hereinafter referred to as Satloff).

This rejection contends that Easty et al. taken with Sommers et al. in view of Cheng does

not teach said image control system wherein the user input devices comprises at least one force-sensing resistor to receive a force from a user and generate the control signal in dependence on this; or wherein the user input device is a joystick. The Examiner further states that Easty taken with Sommers et al. in view of Cheng teaches a loop of menu images displayed for selection wherein the menu loop can be rotated via a rotatable input device and wherein the image selector can also be rotated around the image loop to designate the menu to be selected.

The rejection asserts that Satloff teaches an image control system wherein the input device comprises at least one force sensing resistor or a joystick at col. 7, lines 29-36. The Applicants, respectfully, submit that Claims 2 and 13 must be viewed in conjunction with the claims from which they depend, wherein the movement around the loop configuration of the control device causes a corresponding relative angular movement that is substantially equal between the selector and the loop of the menu. Satloff relates to keyboards, and the paragraph cited by the Examiner on col. 7, lines 29-36, does not disclose, or suggest, movement around the loop configuration of the control device that causes a corresponding relative angular movement that is substantially equal between the selector and the loop of the menu. Moreover, there is no motivation provided by any of Easty et al., Cheng, Sommers et al. or Satloff to modify the teachings contained therein to create a movement around a loop configuration of the control device that causes a corresponding relative movement between a selector and a loop of a menu. Accordingly, this rejection is respectfully traversed.

The Final Office Action rejects Claims 4, 15, and 20 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Easty et al. taken with Sommers et al. in view of Cheng as applied to Claims 1 and 12 respectively in item 3 hereinabove, and further in view of U.S. Patent No. 4,736,191 issued to Matzke et al. (hereinafter referred to as Matzke et al.).

Regarding Claim 4, the Applicant would like to, respectfully, point out that Matzke et al. do not disclose, or suggest, an annular pressure pad to receive pressure from a user and generate the control signal corresponding to the angular position on the pressure pad at which pressure is applied wherein the loop **and** the selector being moveable with respect to each other. Moreover, Matzke et al. do not disclose, or suggest, wherein the movement around the loop configuration of the control device causes a corresponding relative angular movement that is substantially equal between the selector and the loop of the menu.

Regarding Claim 15, there is no suggestion within the cited reference Matzke et al., to

control the loop display position by applying pressure on the pressure pad to create a corresponding movement in the loop and the selector relative to each other as recited by rejected Claim 15.

Regarding Claim 20, there is no suggestion within the cited reference Matzke et al., for a continuous circular movement upon an annular control device causing a corresponding relative movement between the selector and the loop of the menu in a series of discrete steps. The Applicant respectfully submits that moving the loop and selector in discrete steps is not disclosed or suggested by a continuous movement of the loop and the selector. In a digital world, everything is computed in discrete steps. The display can take the form wherein the movement of the loop and the selector appears continuous to the user. Alternatively, the display can take form where the movement of the loop and the selector appears to occur in discrete steps. The Applicant asserts that neither the display, wherein the movement of the loop and the selector appears continuous to the user of the display, or the movement of the loop relative to the selector appears to occur in discrete steps is disclosed, or suggested, by the combination made by the Office Action. The Applicant, respectfully, asserts that the rejection is using the elements to the rejected claims of the present invention as a template from which to pick and choose the recited elements of the rejected claims from among various prior art references. There is no suggestion or motivation within the cited reference to combine the set of references combined by this rejection. Accordingly, this rejection is respectfully traversed.

The Final Office Action rejects Claim 9 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Easty taken with Sommers et al. in view of Cheng as applied to Claim 1 in item 3 hereinabove, and further in view of U.S. Patent No. 6,501,516 issued to Clapper (hereinafter referred to as Clapper). Cheng relates to an on screen display (OSD) for computer monitors. Sommers et al. relates to Graphical User Interfaces. The Applicant, respectfully, submits that Clapper pertains to a remote control but makes no mention of a corresponding relative angular movement between the control device and the loop of a menu. In fact, there is mention of movement in the circular path for either the selector, control device or the menu icons within Clapper. The Final Office Action has not provided any motivation for modifying the teachings of Clapper to create a circular path for either the selector, control device or the menu icons remote control such that the subject matter that has been so created actually reads on the rejected claims. The Applicant, respectfully, asserts that the rejection is using the elements to the

rejected claims of the present invention as a template from which to pick and choose the recited elements of the rejected claims from among various prior art references. There is no suggestion or motivation within the cited reference to combine the set of references combined by this rejection. Accordingly, this rejection is respectfully traversed.

The Final Office Action rejects Claim 10 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Easty with Sommers et al. in view of Cheng as applied to Claim 1 in item 3 hereinabove, and further in view of U.S. Patent No. 5,736,703 (hereinafter referred to as Kim).

The rejection admits that the combination of Easty et al. with Sommers et al. further in view of Cheng does not teach a mobile telephone handset having a control system in which the display is the mobile telephone handset display screen and the input device is a rotary control positioned on the front face of the mobile telephone handset. The rejection asserts that Kim teaches a variable speed select key for a mobile communication device enabling step or speed scrolling of device functions to facilitate function selection and further teaches a mobile telephone handset having a control system in which the display is the mobile telephone handset display screen and the input device is a rotary control positioned on the front face of the mobile telephone handset. The Applicant would like to, respectfully, point out that Kim employs a rotary device to scroll through a function list. There is no disclosure, or suggestion, within Kim for using the rotary device for controlling the simultaneous movement of both a loop and a selector wherein movement around the rotary device causes a corresponding relative movement between the selector and the loop of the menu. The Examiner is picking and choosing among prior art references using the elements to the rejected claims of the present invention as a blueprint. There is no suggestion to combine the set of references combined by this rejection. Accordingly, this rejection is respectfully traversed.

The Final Office Action rejects Claims11 and 19 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Easty et al. taken with Sommers et al. in view of Cheng , and further in view of U.S. Patent No. 6,405,061 issued to Bae (hereinafter referred to as Bae). The rejection admits that Easty et al. taken with Sommers et al. in view of Cheng does not teach a mobile telephone handset display screen and the control device is an annular pressure pad to receive pressure from a user and generate the control signal corresponding to the angular position on the pressure pad at which pressure is applied. The Applicant would like to further

point out that Bae does not disclose, or suggest, any controlling of simultaneous movement for both a loop and a selector wherein movement around a rotary device causes a corresponding relative movement between the selector and the loop of the menu. Furthermore, Bae does not disclose, or suggest, an annular pressure pad to receive pressure from a user and generate the control signal corresponding to the angular position on the pressure pad at which pressure is applied. Accordingly, the recited elements of Claim 11 and 19 are completely omitted in this rejection. There is no suggestion or motivation to combine the set of references that have been combined by this rejection. Accordingly, this rejection is respectfully traversed.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By _____

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